

Amendment under 37 CFR §1.111
Attorney Docket No.: 062808
Application No.: 10/590,014

REMARKS

Claims 1-4 are pending in the present application. Claims 1-4 are herein amended. No new matter has been entered.

Claim Rejections - 35 U.S.C. § 103

Claims 1-4 were rejected under 35 U.S.C. § 103(a) as being unpatentable over **Correia** (WO 02/095768) in view of **Forster** (US 4,052,260). Favorable reconsideration is requested.

Correia discloses a nuclear plant for power generation. The plant includes a nuclear reactor, a high-pressure turbine with a corresponding high-pressure compressor, a low-pressure turbine with a corresponding low-pressure compressor, and a power turbine.

The Office Action acknowledges that Correia does not disclose bypass valves and control of bypass valves for start-up of the plant. (Office Action, page 2.) The Office Action cites Forster for disclosing these features.

Forster discloses a nuclear power generating plant and a method of operating the plant. The plant includes three power generating turbines (2, 3 and 4) arranged in parallel operated by three partial gas streams 9 heated in separate passages of the nuclear reactor. After exiting the turbines, the gas streams are cooled in respective recuperative heat exchangers 5 and then the separate streams are combined into one stream and passed through compression stages (2a, 3a and 4a). After the last compression stage, the gas stream is then subdivided into partial streams for pre-heating in the recuperative heat exchangers 5 before entering the nuclear reactor. (Col. 7, line 65 to col. 8, line 31.) Forster also discloses the use of various bypass valves for redirecting

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gas flow for start-up, shut-down, and for compensating for changes in power demand. (Col. 10, lines 18-48.)

Applicants respectfully submit that Correia in view of Forster does not teach or suggest:

a number “n-1” of bypass flow passages with bypass valves that bypass each of corresponding “n-1” first gas turbines to a position downstream of the corresponding first gas turbine

as recited in amended claim 1; and

a bypass flow passage with a bypass valve that bypasses the low pressure gas turbine to a position downstream of the low pressure gas turbine

as recited in amended claim 3.

The Office Action takes the position that bypass valve 23 and bypass line 22 of Forster support that it is well-known to use bypass valves to provide gas pressure during start-up and close-down. (Office Action, page 2, citing Forster col. 10, lines 18-48.) Bypass line 22 connects the high-pressure gas line 7 with gas ducts 13, (col. 10, lines 18-29), and redirects the gas flow back to the compression stages and away from nuclear reactor return lines 8. Bypass line 23 connects the high-pressure compressed gas line 20 to gas lines 6, (col. 10, lines 30-34), and redirects the high-pressure compressed gas line 20 back to the turbine outlet gas lines 6. However, neither bypass line 22 nor bypass line 23 bypasses turbines 2, 3 or 4. Thus, the present invention as recited in the claims would not have been obvious over Correia in view Forster.

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Double Patenting

Claims 1-4 were provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-4 of copending Application No. 10/590,012 in view of **Forster**.

Applicants will address this provisional rejection once all other rejections have been withdrawn.

For at least the foregoing reasons claims 1-4 are patentable over the cited references. Accordingly, withdrawal of the rejections of claims 1-4 is hereby solicited.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

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If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

A handwritten signature in black ink, appearing to read 'A. Melick', with a stylized flourish at the end.

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